

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE: )  
 )  
JONATHAN E. HOGGE and ) CASE NO. 05-65486 JPK  
AMY J. WADAS-HOGGE, ) Chapter 7  
 )  
Debtors. )

ORDER REGARDING MOTIONS TO VOID LIEN

On March 22, 2007, the debtors, by counsel, filed two separate documents, each entitled "Motion to Void Lien" along with a "Notice of Motion and Opportunity to Object" as to each. The motions request that certain judicial liens held by Bank One/Chase be avoided pursuant to 11 U.S.C. § 522(f) as to the debtors' homestead and as to three vacant parcels of real estate. By order entered on May 10, 2007, the Court denied these motions without prejudice due to insufficiency of service of process of them as explained in excruciating detail in that order. Included at the close of the next to last paragraph of the order was the statement that an appropriate certificate of service must include evidence of "receipt of service by the entity".

On May 14, 2007, amended certificates of service were filed with respect to these motions.

The first problem is that the motions were denied, and there is nothing before the Court with respect to the relief requested by either of them. It will be necessary, as stated in the May 10, 2007 order, that new motions be filed with respect to the requested relief.

Secondly, even if the original motions had been allowed to pend, certificates of service filed on May 14, 2007 are insufficient in that they establish only that a mailing was effected by certified mail, but do not include the return receipts evidencing the recipient's receipt of the material served by certified mail.

IT IS ORDERED that the Court will take no action with respect to any relief requested by

the debtors pursuant to 11 U.S.C. § 522(f) until motions requesting such relief are filed with the Court and properly served upon the parties against whom the motions are directed.

Dated at Hammond, Indiana on July 6, 2007.

/s/ J. Philip Klingeberger  
J. Philip Klingeberger, Judge  
United States Bankruptcy Court

Distribution:  
Debtors, Attorney for Debtors  
Trustee, US Trustee